

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION


UNITED STATES OF
AMERICA

Plaintiff,

V.

NATIN PAUL,

Defendant.



No. 1:23-CR-100-DAE

ORDER (1) DENYING MOTION FOR CONTINUANCE AND (2) GRANTING
REQUEST TO SUBMIT PRETRIAL SCHEDULING ORDER

Before the Court is the parties' Joint Motion for Continuance, filed January 2, 2025. (Dkt. # 160.) On January 8, 2025, the Court held a hearing on this Motion and the other pending Motions in this case, including the Motion to Dismiss and the Motion to Sever. (Dkts. ## 113, 114.) After careful consideration of the filings, the oral argument at the hearing, and the procedural history of this case, the Court **DENIES** the Motion for Continuance for the reasons that follow. (Dkt. #152). However, the Court **GRANTS** the parties' request to submit a new pretrial scheduling order to U.S. Magistrate Judge Dustin M. Howell.

Under the Court’s initial Scheduling Order, trial in this case was originally set for August 14, 2023. (Dkt. # 20.) On July 11, 2023, Defendant Natin

Paul (“Defendant”) filed an Unopposed Motion to Continue the trial date and other scheduling deadlines. (Dkt. # 24.) The Motion to Continue was referred to Judge Howell, who granted the motion after holding a hearing on July 20, 2023. (Dkts. ## 27, 29.) A new trial date was set for July 29, 2024. (Dkt. #29.)

On January 31, 2024, Defendant filed a second Motion to Continue the trial date, requesting the trial be moved to the first available date in January 2025. (Dkt. # 54.) The Government opposed a continuance to 2025, but stated in its Response “it does not oppose a continuance until a date later in 2024 than the current trial setting of July 29.” (Dkt. # 57 at 1.) The Court held a hearing on February 16, 2024. (Dkt. # 62.) On February 20, 2024, the Court granted Defendant’s Motion to Continue based on “defense counsel’s request for additional time to review discovery and prepare for trial,” and reset the trial for November 6, 2024. (Dkt. # 63.)

On June 18, 2024, Defendant filed his third Motion to Continue, seeking to continue the trial until March 17, 2025, and the Court held a hearing on June 25, 2024. (Dkts. ## 88, 91.) The Government, in its Response, stated that it was unopposed to a continuance, but instead requested the Court set the trial for January 6, 2025. (Dkt. # 90 at 1.) On June 25, 2024, the Court issued an Order continuing the trial to February 18, 2025. (Dkt. # 92.)

On January 2, 2025, the Government filed a Joint Motion for Continuance, requesting the Court continue the trial date to the first available date between April 1, 2025 and April 16, 2025. (Dkt. # 160.) The Motion also requested the Court allow the parties to submit a new pretrial scheduling order to Judge Howell after the Court rules on the motion for continuance. (Id.)


In light of the numerous, generous continuances that the Court has already granted, as well as the fact that the parties have demonstrated no prejudice that will result if this case proceeds to trial on February 18, 2025, as scheduled, the Motion for Continuance is **DENIED**. However, the Court **GRANTS** the parties' request to submit a new pretrial scheduling order to Judge Howell.

CONCLUSION

For the reasons above, the Court will **DENY** the Motion for Continuance (Dkt. # 160.) The parties' request to submit a new pretrial scheduling order to Judge Howell is **GRANTED**.

IT IS SO ORDERED.

Signed: Austin, Texas, January 10, 2025.



David Alan Ezra
Senior United States District Judge